

REMARKS

In response to the Office Action, dated October 21, 2004, Applicants have modified the claims in this Amendment. More Specifically, Applicants have amended dependent claim 6 to now reference claim 4 rather than cancelled claim 5. Accordingly, Applicants request that the 35 U.S.C. § 112 object be withdrawn,

Additionally, Applicants respectfully request reconsideration of the prior art rejections set forth by the Examiner under 35 U.S.C. §§ 102 and 103. Applicants submit that the references of record whether considered alone or in combination fail to either teach or suggest Applicants' presently claimed invention.

Applicants have modified all the independent claims to require that the movable object is displayed concurrently with a program guide and the manipulation of the claimed moveable object changes the data associated within an electronic program guide ("EPG") not only in a frame buffer but also displays the change to a viewer in real time. The use of the moveable object advantageously provides a single interactive mechanism to quickly scan multiple EPG listings, program times, or other EPG data. Moreover, Applicants have added dependent claims which recite displaying a plurality of movable objects concurrently with the electronic program guide, wherein each moveable object corresponds to a different incremental value. This use of the plurality of movable objects advantageously allows an individual to change underlying data with great precision. The present invention is far superior to the present systems which require the user to incrementally scroll through the guide by repeatedly pushing a navigation button or using a separate screen with selectable time blocks to select desired times and then revert back to the EPG screen. There is simply

no teaching or suggestion whatsoever concerning the use of a moveable object to manipulate underlying EPG data in real-time.

Hama et al., U.S. Patent No. 6,230,323, is directed to an interactive program guide which comprises various types of time screen displays in a way to display a time period. Cols. 10-11. More specifically, Hama et al. discloses time period display screen with a first band-shaped display extending vertically and representing 12 hours in the morning and another band shaped display portion extending vertically and representing 12 hours in the afternoon. Col. 11, lines 36-39. The time period display screen also includes an index image that is moved using cursor keys to a desired time period. Col. 11, lines 39-44. In Hama et al., after the time period is selected, the user must select a program guide screen display button to display program information for the selected time period. Consequently, Hama et al. simply does not provide the ability to use a moveable object such as, for example, a slide knob, to quickly change guide data in real-time. Furthermore, Hama et al. discloses time screens which only allow a user to select time periods within a 12 hour period.

Finally, Examiner's reference to Col. 3, lines 26-42, is not enabling because it does not teach or suggest displaying and changing data corresponding to a position of the moveable object. The cited portion merely describes a setting means comprising display means for displaying air times corresponding to hours which can be taken along the time axis in an analog manner, means for causing the user to change air times displayed in an analog manner on the display device, and means for causing the user to set times displayed in an analog manner as the air time range in which the program guides are displayed. Col. 3, lines 34-40. In the detailed description, Hama et al. discloses that air times are merely displayed in an analog manner such as in the shape of a bar graph in a display frame extending vertically.

Col. 8, 33-35. Moreover, as previously presented, Hama et al. discloses time period display screen with a first band-shaped display extending vertically and an index image that is moved using cursor keys to a desired time period. Col. 11, lines 39-44. In Hama et al., after the time period is selected, the user must select a program guide screen display button to display program information for the selected time period. This is simply different from the present invention wherein the data corresponding to the position of the one or more moveable objects, which are displayed concurrently with the program guide, is updated in a frame buffer or a video buffer as a user changes a position of said one or more moveable objects. Additionally, Hama et al. neither teaches nor suggests the use of a plurality of moveable objects as in the new dependent claims, wherein each moveable object corresponds to a different incremental value.

In addition, the IBM Technical Disclosure Bulletin ("IBM", *New Method of Setting Time by One Mouse Operation*, Vol. 40, No. 03, March 1997) is merely directed to a graphical button wherein if a mouse cursor touches the button, the time may be changed by the cursor position. See page 260. The user must position a cursor over a desired area of the graphical button, like a clock, and click a mouse button to change the time. See page 260. The IBM Technical Disclosure Bulletin simply does not disclose a slide knob which may be moved to quickly change program guide data in real time. Furthermore, neither Hama et al. nor the IBM technical disclosure, in combination, teach or suggest the use of a plurality of moveable objects as in the new dependent claims, wherein each moveable object corresponds to a different incremental value.

Moreover, Applicants note that combining references in order to defeat patentability has not been allowed by the Federal Courts unless evidence of a teaching or suggestion of such a combination is present. The U.S. Court of Appeals for the Federal Circuit held in *Dembiczak* that "Combining prior art references without evidence of such a suggestion, teaching, or motivation simply takes the inventor's disclosure as a blueprint for piecing together the prior art to defeat patentability." *In re Dembiczak*, 50 USPQ2d, 1614, 1617 (1999). In this case, there is no suggestion or motivation for the combination of the cited references.

The references of record fail to teach or suggest these advances in the art. Applicants respectfully submits that all claims now stand in condition for allowance.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-1794.

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Respectfully submitted,

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CERTIFICATE OF MAILING

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